

**REMARKS****I. Status of the Claims:**

Claims 12-16, 18-20 and 26-29 are all the claims currently pending in the application.

By this Amendment, claims 15, 18-20 and 27-29 have been amended. No new matter has been introduced by this Amendment. Thus, entry and consideration of this Amendment are respectfully requested.

**II. Response To Objections To The Claims**

The Examiner has objected to claims 15, 18-20, and 27-29 for containing informalities.

Applicant has amended these claims, in accordance with the Examiner's suggestions. Thus, reconsideration and withdrawal of the objections to claims 15, 18-20, and 27-29 are respectfully requested.

**III. Response to Claim Rejections Under 35 U.S.C. §103:**

Claims 12, 13, 15, 18-20 and 26-29 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Ishibashi et al. (U.S. Pat. No. 6,374,291, hereafter Ishibashi) in view of Okutomi et al. (U.S. Pat. No. 6,211,972, hereafter Okutomi). Claims 14 and 16 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Ishibashi in view of Okutomi, and further in view of Bobo, II (U.S. Pat. No. 5,675,507, hereafter Bobo). Accordingly, we propose the following arguments for responding to the above claim rejections.

In the Office Action, the Examiner relies on Ishibashi in view of Okutomi and further in view of Bobo to teach or suggest each and every element as recited in the claims.

However, after a detailed review of Ishibashi, Okutomi and Bobo, the references do not teach or suggest an apparatus, method or computer program product for controlling the notification of a facsimile transmission when the number of pages of a facsimile are not more than a predetermined value. This feature of the present invention is specifically recited in independent claims 12 and 18-20 and fully supported by Fig. 23 of the specification.

In the Office Action (Page 5), the Examiner states that Ishibashi fails to particularly teach or suggest the control feature of the present invention noted above, but the Examiner relies on Okutomi for teaching or suggesting this control feature. (see Fig. 14 & col. 6, line 48-col. 7, line 20). However, we disagree with the Examiners interpretation of Okutomi for at least two reasons. First, the Examiner does not appear to make a distinction between the notification and the transmission of facsimile data (see col. 7, lines 48-54 & col. 6, line 48-col. 7, line 20). In other words, the Examiner seems to be interpreting the transmission of the facsimile data as being synonymous with the notification. Second, at col. 7, lines 14-20 Okutomi appears to teach or suggest that the notification (i.e., data transmission) is still sent when the page number is smaller than a predetermined value. More specifically, Okutomi states that "when the contact of the tag (page number) is smaller then the maximum output number of sheets, the facsimile data is transmitted to an e-mail address corresponding to a telephone number." Thus, the notification is sent regardless of the page number.

Moreover, Bobo does not appear to overcome the deficiencies noted above in Ishibashi and Okutomi to render obvious the claims of the present invention. Accordingly, even if one of ordinary skill in the art were to combine the teaching of Ishibashi, Okutomi and Bobo, the combination still would not teach or suggest all the features as recited in the claims of the present invention. Namely, an apparatus, method or computer program product for controlling the

notification of a facsimile transmission when the number of pages of a facsimile are not more than a predetermined value.

Based on the foregoing, independent claims 12 and 18-20 are believed to be distinguishable over Ishibashi in view of Okutomi and further in view of Bobo. Likewise, dependent claims 13-17 and 26-29 are also believed to be distinguishable over Ishibashi in view of Okutomi and further in view of Bobo based on their respective dependencies from claims 12 and 18-20.

**CONCLUSION**

Based on the foregoing amendments and remarks, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims and allowance of this application.

**AUTHORIZATION**

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4500, Order No. 1232-4467.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 1232-4467.

Respectfully submitted,  
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By: \_\_\_\_\_

  
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